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In the matter of SIMON, NICHOLAS AND ANNE EARL

-against-

THE COUNTY OF SUFFOLK, SUFFOLK COUNTY POLICE
DEPARTMENT, POLICE OFFICERS JOHN AND JANE
DOES 1-10,
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2013 APR 9 A 9:33
NOTICE OF CLAIM

S I R S :

PLEASE TAKE NOTICE, that claimants, Simon Nicholas and Anne Earl hereby file claim against the above captioned Defendants, for the following claims: harassment, abuse of process, malicious prosecution, failure to properly supervise, violation of their constitutional rights to be free from unlawful search and seizure, unlawful detention, fabrication of evidence and records, denial of claimants right to due process of law, right to counsel, ^{libel} slander, intentional and negligent infliction of emotional duress, excessive use of force, cruel and inhuman treatment, and other claims not yet known.

The aforesaid occurrence took place on or about January 23, 2013 at approximately 11:00 am in front of 6 Cordwood Path, Shoreham, County of Suffolk, State of New York and continues periodically to the present day (April 18, 2014). That Suffolk County Police Officer, Jane Doe #1, shield number 5736 and id #917351 and others yet unknown did harassed, threatened, menaced, through the threatened use of deadly physical force, namely a loaded firearm, illegally detain and search JACK FRANQUI IV and SIMON EARL, both their person and property without lawful authority, and engage in such other violations of FRANQUI AND EARL'S civil rights. That said

officers appeared in front of EARL'S home, in broad daylight as he was engaged in the peaceful enjoyment of FRANQUI'S company when they were approached by JANE DOE #1 who immediately drew a weapon, forced EARL to his knees at gun point in the middle of the street, in front of his own home while threatening him to raise his arms, not to move and to shut up or he would be shot, before turning the gun upon FRANQUI and screaming like threats until John and Jane Does 2-10 arrived at the scene. That said officers engaged in the excessive use of non-deadly physical force against Simon Earl restraining him at gun point and thereafter violated his 4th amendment rights to be free from the illegal search and seizure of his person, without cause, by searching his person and removing his property without consent or legal authority. Thereafter EARL was threatened, intimidated and accused of various crimes and then restrained in a police car while defendants searched the EARL family residence without consent or a warrant.

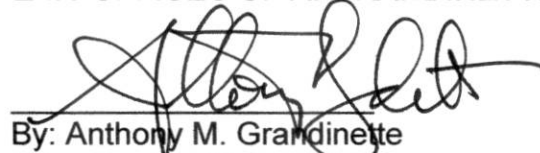
Defendant Officers engaged in this behavior individually and under color of state law. Thereafter the EARL family was harassed by JANE DOE #1 driving by their home, entering their driveway and recording plate numbers of automobiles, parking her police cruiser at the top of their street, and subsequently and unlawfully stopping Simon and issuing him traffic summonses without just cause, and questioning and intimidating SIMON EARL concerning his now deceased friend FRANQUI. By conduct under color of State law, the defendant's committed numerous crimes against claimant including battery, harassment, false arrest, false imprisonment, malicious prosecution, abuse of process, denial of claimants right to due process of law, right to counsel, libel, slander, intentional and negligent infliction of emotional duress, excessive force, cruel and

inhuman treatment, negligent supervision and other claims not yet known, and thereafter made false statements created and utilized to provide false evidence against the claimant while knowing such evidence was false and to be relied upon by a Judge, prosecutors, and State and local officials all against the rights guaranteed claimant by the U.S. and New York State Constitutions.

That as a direct result of defendants' conduct Simon, Nicolas and Anne EARLS constitutional rights were and continue to be violated denying them the right to the free and peaceful enjoyment of rights guaranteed by the State and Federal constitution ~~life~~ due to the imposition of unlawful and intimidating police tactics.

Dated: Mineola, New York , April 17, 2013

LAW OFFICES OF A. GRANDINETTE

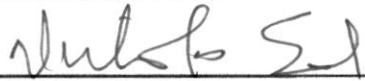


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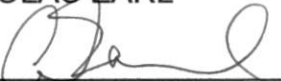


SIMMON EARL



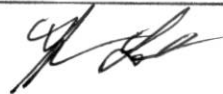
NICOLAS EARL

NICHOLAS EARL



ANNE EARL

ROBERT LEAKE
Notary Public, State of New York
Registration # 01LE6205017
Qualified in Nassau County
Commission Expires May 4, 2017



Sworn to on 18th
Day of April 2013

TO: OFFICE OF THE SUFFOLK COUNTY ATTORNEY

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